

IN THE CLAIMS

RECEIVED

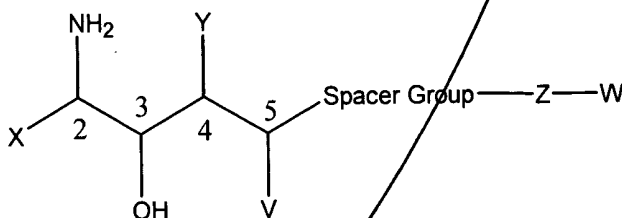
DEC 05 2002

TECH CENTER 1600/2900

Please cancel claims 1-8, and 10.

Please amend the claims as follows:

9. (amended) A method of treating a neoplastic condition or toxicity ~~in a subject~~ <sup>in a subject in need thereof</sup> associated with an alteration in sphingolipid metabolism comprising administering an effective amount of a fumonisin analog of the formula:



*C1*

wherein the spacer group is selected from the group consisting of alkyl (straight chain or branched, C<sub>1</sub> - C<sub>20</sub>), hydroxyalkyl (straight chain or branched, C<sub>1</sub> - C<sub>20</sub>) or dihydroxyalkyl (straight chain or branched, C<sub>1</sub> - C<sub>20</sub>); Z is selected from the group consisting of H, O, NH, NQ, NQC(O), NHC(O), CO<sub>2</sub>, C(O)NH, and C(O)NQ, wherein Q is an alkyl (straight chain or branched, C<sub>1</sub> - C<sub>6</sub>); W is selected from the group consisting of no substituent, H, alkyl (straight chain or branched, C<sub>1</sub> - C<sub>6</sub>), aryl (phenyl, substituted phenyl such as substitution with alkyl (straight chain or branched, C<sub>1</sub> - C<sub>6</sub>) or halo), C(O)(CH<sub>2</sub>)<sub>n</sub>CO<sub>2</sub>H (where n= 1 - 6), C(O) (CH<sub>2</sub>)<sub>n</sub> CW'<sub>2</sub> CO<sub>2</sub> H, where W' is selected independently from H, alkyl (straight chain or branched, C<sub>1</sub> - C<sub>6</sub>), aryl (phenyl, substituted phenyl such as substitution with alkyl (straight chain or branched, C<sub>1</sub> - C<sub>6</sub>) or halo), and (CH<sub>2</sub>)<sub>n</sub> CO<sub>2</sub> H, wherein n= 1 - 6; X is selected from the group consisting of H, methyl, CH<sub>2</sub> OH (and esters thereof), CH<sub>2</sub> NQ'<sub>2</sub> (where Q' is selected independently from H, alkyl (straight chain or branched, C<sub>1</sub> - C<sub>20</sub>), and acyl (C(O)Q" where Q" is an alkyl, straight chain or branched, C<sub>1</sub> - C<sub>20</sub>)); and V and Y are independently selected from the group consisting of H or OH (and esters thereof).

*Handwritten:* where is support for this? there is nothing in claim 39 which says "fumonisin analog"

*the subject has*

11. (amended) The method of Claim 9, wherein ~~Neimann-Picks syndrome or Tay-Sachs~~

*C2* disease is ~~treated~~

*203 D2*  
12. (amended) The method of Claim 9, wherein the fumonisin analog is administered in an amount between 5 and 500 mg.

13. (amended) The method of Claim 9, wherein the fumonisin analog is administered in an amount between 25 and 75 mg.

14. (amended) The method of Claim 9, wherein X is  $\text{CH}_2\text{OH}$  or an ester thereof.

*C2*  
15. (amended) The method of Claim 9, wherein the fumonisin analog has a 2-amino-3,5-diol head group.

*203 D3*  
16. (amended) The method of Claim 9, wherein the fumonisin analog is Fumonisin B<sub>1</sub>. *no support for these*

*203 D3* *C3*  
17. (amended) The method of Claim 9, wherein the fumonisin analog is Fumonisin B<sub>2</sub>.

Please add the following claims:

47. (new) The method of Claim 9, wherein the neoplastic condition is esophageal cancer.

48. (new) The method of Claim 9, wherein the subject is a human.

*C4*  
49. (new) The method of Claim 9, wherein V is hydroxyl.

50. (new) The method of Claim 9, wherein V is hydrogen and Y is hydrogen.

51. (new) The method of Claim 9, wherein V is hydroxyl and Y is hydrogen.

52. (new) The method of Claims 50 or 51, wherein X is methyl.

53. (new) The method of Claim 9, wherein the spacer group is alkyl, Z is hydrogen and W is no substituent.

54. (new) The method of Claim 9, wherein Y is hydrogen, V is hydroxyl, Z is hydrogen and the spacer group is C<sub>1</sub>- C<sub>20</sub>.

C<sup>4</sup> 55. (new) The method of claim 9, wherein Z is hydrogen.

56. (new) The method of claim 9, wherein the spacer group is alkyl (straight chain or branched, C<sub>1</sub> - C<sub>20</sub>).

57. (new) The method of claim 9, wherein W is no substituent.

---

### REMARKS

After entry of the amendment, claims 9, 11-18, and 47-57 remain pending.

### Invention

Applicants provided the fundamental discovery that the biochemical action of fumonisins is that they affect the biosynthetic pathway of sphingolipids. Until the time of the invention, the mechanism of action of fumonisins was unknown in the art.